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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,407	12/12/2003	Thomas L. Kuntz	7762 US	1173
36078	7590	12/23/2008		
MATTHEW D. RABDAU			EXAMINER	
TEKTRONIX, INC.			AGHDAM, FRESHTEH N	
14150 S.W. KARL BRAUN DRIVE				
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BEAVERTON, OR 97077-0001			PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,407

Applicant(s)

KUNTZ, THOMAS L.

Examiner

FRESHTEN N. AGHDAM

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2 and 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2 and 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

Applicant's arguments filed October 10, 2008 have been fully considered but they are not persuasive.

Applicant's Argument(s):

Regarding claim 1, page 5, the applicant argues the claimed subject matter "correlation of the received signal with a conjugate version of a delayed version of the received signal" is not taught or suggested by Kumura.

Examiner's Response:

Regarding the argument set forth above, the examiner disagrees with the applicant because Kumura teaches this limitation (fig. 1, means 3 and 15-16; par. 6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kumura (US 2007/0036248) and further in view of Sato (US 7,142,587),

As to claim 1, Kumura teaches a method of detecting a signal in a receiver comprising the steps of: delaying the received signal by a period to produce a reference signal, wherein the amount of delay is an integer multiple of the symbol period of the

signal to produce the reference signal (fig. 1, par. 6); and correlating the received signal with a conjugate version of the reference signal (par. 6) to produce a correlation result, wherein the correlation result is indicative of a location of the frequency correction burst signal within the received signal (see Kanaoka under conclusion, fig. 12, par. 145), Kumura does not expressly teach that the correlating step uses only real components of the correlation result for improved computational efficiency where the frequency offset is expected to be within an acceptable range. Sato teaches that the correlation step outputs only real components for improved computational efficiency where the frequency offset is expected to be within an acceptable range (col. 6, lines 38-50). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teaching of Sato into the system of Kumura for the reason stated above. One of ordinary skill in the art would recognize that the teachings of Kumura and Sato is applicable in GSM systems that utilize frequency synchronization burst (e.g. known/unique sequence of symbols of frequency synchronization burst vs. known symbol sequence of Kumura and pilot signal of Sato). Therefore, it would have been obvious to one of ordinary skill in the art to incorporate the teachings of Kumura and Sato into the GSM systems that employ frequency synchronization burst.

As to claim 2, Kumura further teaches estimating the frequency offset as a function of the correlation result (par. 6).

As to claim 4, Kumura and Sato teach all the subject matter claimed in claim 1, except for the imaginary part of the correlation step determines the phase angle (col. 6 lines 38-50). However, one of ordinary skill in the art would clearly recognize that

determining the quadrature components of the correlation step determines the phase angle, whereas determining the real components of the correlation step determines the location of the signal. Therefore, it would have been obvious to one of ordinary skill in the art to determine the phase angle in addition to the location of the signal in order to more accurately synchronize the receiver with the transmitter.

As to claim 5, Sato further teaches down converting the received signal to a baseband complex discrete time sample signal for input to the delaying and correlating steps as the signal received (col. 4 lines 44-60) in order to remove the carrier frequency completely for further processing the received signal and eventually recovering the transmitted signal. Therefore, it would have been obvious to one of ordinary skill in the art to direct down convert the received for the reason stated above.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kumura and Sato, further in view of Junell (US 5,953,649).

As to claim 6, Kumura and Sato teach all the subject matter claimed in claim 1, except for the step of down converting the received signal to a baseband complex discrete time sample signal by mixing the received signal with a first local oscillator signal to produce an intermediate frequency signal; mixing the sampled intermediate frequency signal with a second complex oscillator signal to produce a sample signal with real and quadrature components. One of ordinary skill in the art would recognize that it is well known in the art to down convert the received signal to a baseband complex sample signal in the front-end portion of the receiver prior to performing any

other functions on the received signal such as sync detection by down converting the received signal to the intermediate frequency signal using a mixer and an oscillator and down converting the intermediate frequency signal to the baseband signal using another mixer and oscillator as it is evidenced by Junell (Fig. 5, means 51-52; Col. 11, Lines 22-48). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of Junell with Kumura and Sato for proper processing the received signal by down converting the received signal to the baseband signal prior to detecting the frequency correction burst signal.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FRESHTEH N. AGHDAM whose telephone number is (571)272-6037. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Freshteh N Aghdam/

Examiner, Art Unit 2611

/Chieh M Fan/

Supervisory Patent Examiner, Art Unit 2611